

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

USDC Docket Number : 05-cv-10176

Denise Mckeown, et al

v.

Advest, Inc., et al

CLERK'S CERTIFICATE

I, Sarah A. Thornton, Clerk of the United States District Court for the District of Massachusetts, do hereby certify that the annexed documents numbered:

1-72

and contained in I-II Volume(s) are the original or electronically filed pleadings and constitute the record on appeal in the above entitled case for the Notice of Appeal filed on 1/26/2007.

In testimony whereof, I hereunto set my hand and affix the seal of this Court on February 28, 2007.

By:



Sarah A. Thornton, Clerk of Court

Deputy Clerk

Receipt of the documents in the above entitled case is hereby acknowledged this date: 2/28/07.

D. Burchard
Deputy Clerk, US Court of Appeals

Please complete the following information:

COURT OF APPEALS DOCKET NUMBER ASSIGNED: _____

APPEAL, CLOSED, LEAD

**United States District Court
District of Massachusetts (Boston)
CIVIL DOCKET FOR CASE #: 1:05-cv-10176-RGS**

McKeown v. Advest, Inc. et al
Assigned to: Judge Richard G. Stearns
Cause: 15:78m(a) Securities Exchange Act

Date Filed: 01/28/2005
Jury Demand: None
Nature of Suit: 850
Securities/Commodities
Jurisdiction: Federal Question

Consolidated Plaintiff

**ACA Financial Guaranty
Corporation**

represented by **Michael Tabb**
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LEAD ATTORNEY
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Consolidated Plaintiff

**Dryden National Municipals Fund,
Inc.**

represented by **Michael Tabb**
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Consolidated Plaintiff

John Moore

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Consolidated Plaintiff

Lois Moore

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Consolidated Plaintiff

**Smith Barney Income Funds/Smith
Barney Municipal High Income Fund**

represented by **Michael Tabb**
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Consolidated Plaintiff

T. Row Price Tax-Free High Yield

represented by **Michael Tabb**

Fund, Incorporated

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Plaintiff

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Plaintiff

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V.

Defendant

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Defendant

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Defendant

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Defendant

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Defendant

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Defendant

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Defendant

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Defendant

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Defendant

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Defendant

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Defendant

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Scott A. Roberts
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Date Filed	#	Docket Text
01/28/2005	<u>1</u>	COMPLAINT against all defendants Filing fee: \$ 150, receipt number 61703, filed by Robert Lutts, Denise McKeown. (Attachments: # <u>1</u> # <u>2</u>) (Flaherty, Elaine) (Entered: 02/01/2005)
01/28/2005	<u>2</u>	Summons Issued as to Julia DeMoss, William R. Dill, Leslie A. Ferlazzo, Joyce Shaffer Fleming, Eric W. Hayden, Catherine Chapin Kobacker, Anne Marcus, Celeste Reid, Richard J. Sheehan, Jr, Joseph Short, Gregory E. Thomas, Susan K. Turben, Donald W Kiszka, Advest, Inc., Karen Sughrue, Garry Crago, Jean Childs, Paula Edwards Cochran, G. Stevens Davis, Jr. (Flaherty, Elaine) (Entered: 02/01/2005)
01/28/2005	<u>3</u>	If the trial Judge issues an Order of Reference of any matter in this case to a Magistrate Judge, the matter will be transmitted to Magistrate Judge Cohen. (Flaherty, Elaine) (Entered: 02/01/2005)

03/08/2005	2	ACKNOWLEDGEMENT OF SERVICE Executed by Advest, Inc.. Advest, Inc. served on 2/24/2005, answer due 3/16/2005. Acknowledgement filed by Advest, Inc.. (Flaherty, Elaine) (Entered: 03/08/2005)
03/11/2005	3	MOTION to Consolidate ease with ca 04-11667 RGS by Robert Lutts, Denise McKeown.(Flaherty, Elaine) (Entered: 03/14/2005)
03/11/2005	10	SUMMONS Returned Executed Karen Sughrue served on 3/8/2005, answer due 3/28/2005. (Flaherty, Elaine) (Entered: 03/16/2005)
03/11/2005	11	SUMMONS Returned Executed Garry Crago served on 3/8/2005, answer due 3/28/2005. (Flaherty, Elaine) (Entered: 03/16/2005)
03/11/2005	12	SUMMONS Returned Executed Jean Childs served on 3/8/2005, answer due 3/28/2005. (Flaherty, Elaine) (Entered: 03/16/2005)
03/11/2005	13	SUMMONS Returned Executed Paula Edwards Cochran served on 3/8/2005, answer due 3/28/2005. (Flaherty, Elaine) (Entered: 03/16/2005)
03/11/2005	14	SUMMONS Returned Executed G. Stevens Davis, Jr served on 3/8/2005, answer due 3/28/2005. (Flaherty, Elaine) (Entered: 03/16/2005)
03/11/2005	15	SUMMONS Returned Executed Julia DeMoss served on 3/8/2005, answer due 3/28/2005. (Flaherty, Elaine) (Entered: 03/16/2005)
03/11/2005	16	SUMMONS Returned Executed William R. Dill served on 3/8/2005, answer due 3/28/2005. (Flaherty, Elaine) (Entered: 03/16/2005)
03/11/2005	17	SUMMONS Returned Executed Leslie A. Ferlazzo served on 3/8/2005, answer due 3/28/2005. (Flaherty, Elaine) (Entered: 03/16/2005)
03/11/2005	18	SUMMONS Returned Executed Joyce Shaffer Fleming served on 3/8/2005, answer due 3/28/2005. (Flaherty, Elaine) (Entered: 03/16/2005)
03/11/2005	19	SUMMONS Returned Executed Eric W. Hayden served on 3/8/2005, answer due 3/28/2005. (Flaherty, Elaine) (Entered: 03/16/2005)
03/11/2005	20	SUMMONS Returned Executed Catherine Chapin Kobacker served on 3/8/2005, answer due 3/28/2005. (Flaherty, Elaine) (Entered: 03/16/2005)
03/11/2005	21	SUMMONS Returned Executed Anne Marcus served on 3/8/2005, answer due 3/28/2005. (Flaherty, Elaine) (Entered: 03/16/2005)
03/11/2005	22	SUMMONS Returned Executed Celeste Reid served on 3/8/2005, answer due 3/28/2005. (Flaherty, Elaine) (Entered: 03/16/2005)
03/11/2005	23	SUMMONS Returned Executed Richard J. Sheehan, Jr served on 3/8/2005, answer due 3/28/2005. (Flaherty, Elaine) (Entered: 03/16/2005)
03/11/2005	24	SUMMONS Returned Executed Gregory E. Thomas served on 3/8/2005, answer due 3/28/2005. (Flaherty, Elaine) (Entered: 03/16/2005)
03/11/2005	25	SUMMONS Returned Executed Susan K. Turben served on 3/8/2005, answer due 3/28/2005. (Flaherty, Elaine) (Entered: 03/16/2005)

03/11/2005	26	SUMMONS Returned Executed Donald W Kiszka served on 3/8/2005, answer due 3/28/2005. (Flaherty, Elaine) (Entered: 03/16/2005)
03/11/2005	27	SUMMONS Returned Executed Joseph Short served on 3/8/2005, answer due 3/28/2005. (Flaherty, Elaine) (Entered: 03/17/2005)
03/14/2005	24	NOTICE of Appearance by Sarah E. Walters, Jonathan L. Kotlier on behalf of Advest. Inc. (Flaherty, Elaine) (Entered: 03/16/2005)
03/14/2005	25	MOTION to Dismiss by Advest, Inc..(Flaherty, Elaine) (Entered: 03/16/2005)
03/14/2005	26	MEMORANDUM in Support re 5 MOTION to Dismiss filed by Advest, Inc.. (Attachments: # 1)(Flaherty, Elaine) (Entered: 03/16/2005)
03/14/2005	27	MOTION for Leave to File Excess Pages in support of motion to dismiss by Advest, Inc..(Flaherty, Elaine) (Entered: 03/16/2005)
03/14/2005	28	CORPORATE DISCLOSURE STATEMENT by Advest, Inc.. (Flaherty, Elaine) (Entered: 03/16/2005)
03/14/2005	29	APPENDIX/EXHIBIT re 5 MOTION to Dismiss by Advest, Inc.. (Flaherty, Elaine) (Entered: 03/16/2005)
03/25/2005	28	Assented top MOTION for Extension of Time to 5/16/05 to oppose motion to dismiss by Robert Lutts, Denise McKeown.(Flaherty, Elaine) (Entered: 03/29/2005)
03/30/2005		Judge Richard G. Stearns : Electronic ORDER entered granting in part and denying in part 28 Motion for Extension of Time "Oppositions due by 4/15/05." (Flaherty, Elaine) (Entered: 03/30/2005)
04/04/2005	29	MOTION for Reconsideration re Order on Motion for Extension of Time by McKeown and Robert Lutts.(Flaherty, Elaine) (Entered: 04/08/2005)
04/08/2005		Judge Richard G. Stearns : Electronic ORDER entered denying 29 Motion for Reconsideration (Flaherty, Elaine) (Entered: 04/08/2005)
04/08/2005	30	NOTICE of Appearance by Scott A. Roberts on behalf of Julia DeMoss, William R. Dill, Leslie A. Ferlazzo, Joyce Shaffer Fleming, Eric W. Hayden, Catherine Chapin Kobacker, Anne Marcus, Celeste Reid, Richard J. Sheehan, Jr, Joseph Short, Gregory E. Thomas, Susan K. Turben, Donald W Kiszka, Karen Sughrue, Garry Crago, Jean Childs, Paula Edwards Cochran, G. Stevens Davis, Jr (Flaherty, Elaine) (Entered: 04/13/2005)
04/11/2005		Judge Richard G. Stearns : Electronic ORDER entered granting 3 Motion to Consolidate Cases, granting 7 Motion for Leave to File Excess Pages (Flaherty, Elaine) (Entered: 04/11/2005)
04/15/2005	32	MOTION for Leave to File Excess Pages in opposition to deflt's motion to dismiss by Robert Lutts, Denise McKeown.(Flaherty, Elaine) (Entered: 04/20/2005)
04/19/2005	31	MOTION to Dismiss <i>Complaint Filed by Denise McKeown and Robert</i>

		<i>Lutts</i> by Julia DeMoss, William R. Dill, Leslie A. Ferlazzo, Joyce Shaffer Fleming, Eric W. Hayden, Catherine Chapin Kobacker, Anne Marcus, Celeste Reid, Richard J. Sheehan, Jr, Joseph Short, Gregory E. Thomas, Susan K. Turben, Donald W Kiszka, Karen Sughrue, Garry Crago, Jean Childs, Paula Edwards Cochran, G. Stevens Davis, Jr.(Roberts, Scott) (Entered: 04/19/2005)
04/20/2005	●	Judge Richard G. Stearns : Electronic ORDER entered granting <u>32</u> Motion for Leave to File Excess Pages (Flaherty, Elaine) (Entered: 04/25/2005)
04/20/2005	● 33	MEMORANDUM in Opposition re 31 MOTION to Dismiss <i>Complaint Filed by Denise McKeown and Robert Lutts</i> filed by Denise McKeown. (Attachments: # 1)(Flaherty, Elaine) (Entered: 04/25/2005)
04/20/2005	● 34	NOTICE of Appearance by Robert E. Sullivan on behalf of Julia DeMoss, William R. Dill, Joyce Shaffer Fleming, Eric W. Hayden, Catherine Chapin Kobacker, Anne Marcus, Celeste Reid, Richard J. Sheehan, Jr, Joseph Short, Gregory E. Thomas, Susan K. Turben, Karen Sughrue, Garry Crago, Jean Childs, Paula Edwards Cochran (Flaherty, Elaine) (Entered: 04/26/2005)
04/20/2005	● 35	NOTICE of Appearance by Ann L. Carpenter on behalf of Julia DeMoss, William R. Dill, Leslie A. Ferlazzo, Joyce Shaffer Fleming, Eric W. Hayden, Catherine Chapin Kobacker, Anne Marcus, Celeste Reid, Richard J. Sheehan, Jr, Joseph Short, Gregory E. Thomas, Susan K. Turben, Donald W Kiszka, Karen Sughrue, Garry Crago, Jean Childs, Paula Edwards Cochran, G. Stevens Davis, Jr (Flaherty, Elaine) (Entered: 04/26/2005)
04/21/2005	● 36	Assented to MOTION for Extension of Time to 6/1/05 to respond to motion to dismiss by Robert Lutts, Denise McKeown.(Flaherty, Elaine) (Entered: 04/27/2005)
04/28/2005	●	Judge Richard G. Stearns : Electronic ORDER entered granting <u>36</u> Motion for Extension of Time (Flaherty, Elaine) (Entered: 04/28/2005)
05/02/2005	● 37	MOTION for Leave to File Excess Pages memo in opposition to motion to dismiss amended complaint by ACA Financial Guaranty Corporation, Dryden National Municipals Fund, Inc., John Moore, Lois Moore, Smith Barney Income Funds/Smith Barney Municipal High Income Fund, T. Row Price Tax-Free High Yield Fund, Incorporated.(Flaherty, Elaine) (Entered: 05/04/2005)
05/02/2005	● 38	MOTION to Strike certain documents in support of Bradford Defendants' Motion to Dismiss by ACA Financial Guaranty Corporation, Dryden National Municipals Fund, Inc., John Moore, Lois Moore, Smith Barney Income Funds/Smith Barney Municipal High Income Fund, T. Row Price Tax-Free High Yield Fund, Incorporated. (Attachments: # 1 # 2 # 3 # 4) (Flaherty, Elaine) (Entered: 05/04/2005)
05/05/2005	●	Judge Richard G. Stearns : Electronic ORDER entered granting <u>37</u> Motion for Leave to File Excess Pages (Flaherty, Elaine) (Entered: 05/05/2005)







		05/05/2005)
05/05/2005	<u>39</u>	MEMORANDUM in Opposition re <u>31</u> MOTION to Dismiss <i>Complaint Filed by Denise McKeown and Robert Lutts</i> . <u>5</u> MOTION to Dismiss filed by ACA Financial Guaranty Corporation, Dryden National Municipals Fund, Inc., John Moore, Lois Moore, Smith Barney Income Funds/Smith Barney Municipal High Income Fund, T. Row Price Tax-Free High Yield Fund, Incorporated. (Attachments: # <u>1</u> # <u>2</u> # <u>3</u>)(Flaherty, Elaine) (Entered: 05/05/2005)
05/31/2005	<u>40</u>	MOTION to Strike <u>39</u> Memorandum in Opposition to Motion. by Robert Lutts, Denise McKeown.(Flaherty, Elaine) (Entered: 06/01/2005)
05/31/2005	<u>41</u>	MOTION for Leave to File Excess Pages in opposition to defendants motion to dismiss by Robert Lutts, Denise McKeown.(Flaherty, Elaine) (Entered: 06/01/2005)
06/24/2005	<u>42</u>	NOTICE of Hearing on Motion <u>5</u> MOTION to Dismiss, <u>38</u> MOTION to Strike, <u>40</u> MOTION to Strike <u>39</u> Memorandum in Opposition to Motion,, <u>31</u> MOTION to Dismiss <i>Complaint Filed by Denise McKeown and Robert Lutts</i> : Motion Hearing set for 10/6/2005 02:30 PM in Courtroom 21 before Judge Richard G. Stearns. (Johnson, Mary) (Entered: 06/24/2005)
06/29/2005		Judge Richard G. Stearns : Electronic ORDER entered granting <u>41</u> Motion for Leave to File Excess Pages (Flaherty, Elaine) (Entered: 06/29/2005)
07/29/2005	<u>43</u>	Assented to MOTION for Leave to File <i>Reply to Plaintiffs' Oppositions to Motions to Dismiss and to Enlarge Page Limit</i> by Julia DeMoss, William R. Dill, Leslie A. Ferlazzo, Joyce Shaffer Fleming, Eric W. Hayden, Catherine Chapin Kobacker, Anne Marcus, Celeste Reid, Richard J. Sheehan, Jr, Joseph Short, Gregory E. Thomas, Susan K. Turben, Donald W Kiszka, Karen Sughrue, Garry Crago, Jean Childs, Paula Edwards Cochran, G. Stevens Davis, Jr.(Carpenter, Ann) (Entered: 07/29/2005)
07/29/2005	<u>44</u>	REPLY to Response to Motion re <u>31</u> MOTION to Dismiss <i>Complaint Filed by Denise McKeown and Robert Lutts In Support of Bradford Defendants' Motions to Dismiss</i> filed by Julia DeMoss, William R. Dill, Leslie A. Ferlazzo, Joyce Shaffer Fleming, Eric W. Hayden, Catherine Chapin Kobacker, Anne Marcus, Celeste Reid, Richard J. Sheehan, Jr, Joseph Short, Gregory E. Thomas, Susan K. Turben, Donald W Kiszka, Karen Sughrue, Garry Crago, Jean Childs, Paula Edwards Cochran, G. Stevens Davis, Jr. (Attachments: # <u>1</u> Exhibit A# <u>2</u> Exhibit B# <u>3</u> Exhibit C)(Carpenter, Ann) (Entered: 07/29/2005)
07/29/2005	<u>45</u>	RESPONSE to Motion re <u>38</u> MOTION to Strike <i>Bradford Defendants' Opposition to Plaintiffs' Motions to Strike in Support of Their Oppositions to Defendants' Motions to Dismiss</i> filed by Julia DeMoss, William R. Dill, Leslie A. Ferlazzo, Joyce Shaffer Fleming, Eric W. Hayden, Catherine Chapin Kobacker, Anne Marcus, Celeste Reid, Richard J. Sheehan, Jr, Joseph Short, Gregory E. Thomas, Susan K.

		Turben, Donald W Kiszka, Karen Sughrue, Garry Crago, Jean Childs, Paula Edwards Cochran, G. Stevens Davis, Jr. (Carpenter, Ann) (Entered: 07/29/2005)
07/29/2005	<u>46</u>	MOTION for Leave to File reply memo in support of motions to dismiss, filed by Advest, Inc..(Flaherty, Elaine) (Entered: 08/01/2005)
08/24/2005		Judge Richard G. Stearns : Electronic ORDER entered granting <u>43</u> Motion for Leave to File, granting <u>46</u> Motion for Leave to File (Flaherty, Elaine) (Entered: 08/24/2005)
10/11/2005		Electronic Clerk's Notes for proceedings held before Judge Richard G. Stearns : Motion Hearing held on 10/7/2005 re <u>40</u> MOTION to Strike, <u>39</u> Memorandum in Opposition to Motion, <u>31</u> MOTION to Dismiss Complaint, <u>5</u> MOTION to Dismiss, <u>38</u> MOTION to Strike. Atty. Tabb present for Plaintiffs; Atty. Roberts present for the Bradford Defendants; Atty. Kotlier present for Advest. After argument, the court takes the matters under advisement. Plaintiffs have until October 21, 2005 to submit a response to the Sughrue Affidavit, including a proposal for discovery on this issue should they feel the need. (Court Reporter James Gibbons.) (Tyler, Rebecca) (Entered: 10/11/2005)
10/17/2005	<u>48</u>	MOTION supplement opposition to motion to dismiss with written response in lieu of oral argument by Robert Lutts, Denise McKeown, filed.(Flaherty, Elaine) (Entered: 10/24/2005)
10/20/2005	<u>47</u>	Supplemental Opposition re 31 MOTION to Dismiss <i>Complaint Filed by Denise McKeown and Robert Lutts and Proposal for Discovery on Trustee Compensation</i> filed by T. Row Price Tax-Free High Yield Fund, Incorporated. (Attachments: # 1)(Tabb, Michael) (Entered: 10/20/2005)
10/25/2005	<u>49</u>	Judge Richard G. Stearns : ElectronicORDER entered granting <u>48</u> Motion file supplement (Flaherty, Elaine) (Entered: 10/25/2005)
11/02/2005	<u>50</u>	MOTION for Leave to File <i>Reply to Plaintiffs' Supplemental Opposition to Motion to Dismiss Regarding Applicability of Charitable Immunity Doctrine and Plaintiffs' Proposal for Discovery on Trustee Compensation</i> by Julia DeMoss, William R. Dill, Leslie A. Ferlazzo, Joyce Shaffer Fleming, Eric W. Hayden, Catherine Chapin Kobacker, Anne Marcus, Celeste Reid, Richard J. Sheehan, Jr, Joseph Short, Gregory E. Thomas, Susan K. Turben, Donald W Kiszka, Karen Sughrue, Garry Crago, Jean Childs, Paula Edwards Cochran, G. Stevens Davis, Jr.(Roberts, Scott) (Entered: 11/02/2005)
11/02/2005	<u>51</u>	MOTION for Leave to File <i>Reply to "Written Supplementation in Lieu of Oral Argument Regarding Defendants' Motions to Dismiss" Submitted by Plaintiffs Denise McKeown and Robert Lutts</i> by Julia DeMoss, William R. Dill, Leslie A. Ferlazzo, Joyce Shaffer Fleming, Eric W. Hayden, Catherine Chapin Kobacker, Anne Marcus, Celeste Reid, Richard J. Sheehan, Jr, Joseph Short, Gregory E. Thomas, Susan K. Turben, Donald W Kiszka, Karen Sughrue, Garry Crago, Jean Childs, Paula Edwards Cochran, G. Stevens Davis, Jr.(Roberts, Scott) (Entered: 11/02/2005)

11/15/2005	52	MEMORANDUM in Support re 31 MOTION to Dismiss <i>Complaint Filed by Denise McKeown and Robert Lutts and Bradford Defendants' Response to Plaintiffs McKeown and Lutts' Written Supplementation in Lieu of Oral Argument Regarding Defendants' Motion to Dismiss</i> filed by Julia DeMoss, William R. Dill, Leslie A. Ferlazzo, Joyce Shaffer Fleming, Eric W. Hayden, Catherine Chapin Kobacker, Anne Marcus, Celeste Reid, Richard J. Sheehan, Jr. Joseph Short, Gregory E. Thomas, Susan K. Turben. Donald W Kiszka, Karen Sughrue, Garry Crago, Jean Childs, Paula Edwards Cochran, G. Stevens Davis, Jr. (Carpenter, Ann) (Entered: 11/15/2005)
11/15/2005	53	MEMORANDUM in Support re 31 MOTION to Dismiss <i>Complaint Filed by Denise McKeown and Robert Lutts and Bradford Defendants' Response to Plaintiffs' Supplemental Opposition to Bradford Trustee Defendants' Motion to Dismiss and Proposal for Discovery on Trustee Compensation</i> filed by Julia DeMoss, William R. Dill, Leslie A. Ferlazzo, Joyce Shaffer Fleming, Eric W. Hayden, Catherine Chapin Kobacker, Anne Marcus, Celeste Reid, Richard J. Sheehan, Jr. Joseph Short, Gregory E. Thomas, Susan K. Turben, Donald W Kiszka, Karen Sughrue, Garry Crago, Jean Childs, Paula Edwards Cochran, G. Stevens Davis, Jr. (Carpenter, Ann) (Entered: 11/15/2005)
11/29/2005		Judge Richard G. Stearns : Electronic ORDER entered granting 50 Motion for Leave to File, granting 51 Motion for Leave to File (Flaherty, Elaine) (Entered: 11/29/2005)
12/22/2005	54	MOTION to Strike in support of their opposition to defendants motions to dismiss by Smith Barney Income Funds/Smith Barney Municipal High Income Fund, T. Row Price Tax-Free High Yield Fund, Incorporated et al.(Originally filed 5/2/05 in ca 04-11667-RGS, to view exhibits to this motion, please see that docket)(Flaherty, Elaine) (Entered: 12/22/2005)
12/29/2005	55	NOTICE issued to Attorney William A. Sheridan regarding mandatory use of ECF in compliance with Local Rule 5.4. Failure to comply may result in the imposition of sanctions. (Johnson, Mary) (Entered: 12/29/2005)
09/30/2006	56	Judge Richard G. Stearns : Memorandum and Order entered.(Giannotti, Diane) (Entered: 10/03/2006)
09/30/2006		Judge Richard G. Stearns : Electronic ORDER entered granting 31 Motion to Dismiss, finding as moot 38 Motion to Strike, finding as moot 40 Motion to Strike, finding as moot 54 Motion to Strike, granting 5 Motion to Dismiss (Giannotti, Diane) (Entered: 10/03/2006)
09/30/2006		Civil Case Terminated. (Giannotti, Diane) (Entered: 10/03/2006)
10/05/2006	57	Judge Richard G. Stearns : ORDER OF DISMISSAL entered. (Johnson, Mary) (Entered: 10/05/2006)
10/20/2006	58	MOTION to Vacate 57 Order of Dismissal by ACA Financial Guaranty Corporation, Dryden National Municipals Fund, Inc., John Moore, Lois Moore, Smith Barney Income Funds/Smith Barney Municipal High

		Income Fund. T. Row Price Tax-Free High Yield Fund, Incorporated. (Tabb, Michael) (Entered: 10/20/2006)
10/20/2006	<u>59</u>	MOTION to Amend <i>Complaint</i> by ACA Financial Guaranty Corporation, Dryden National Municipals Fund, Inc., John Moore, Lois Moore, Smith Barney Income Funds/Smith Barney Municipal High Income Fund, T. Row Price Tax-Free High Yield Fund, Incorporated. (Attachments: # <u>1</u> Proposed Second Amended Complaint-Pt. 1# <u>2</u> Proposed Second Amended Complaint-pt.2)(Tabb, Michael) (Entered: 10/20/2006)
10/20/2006	<u>60</u>	MEMORANDUM in Support re <u>59</u> MOTION to Amend <i>Complaint</i> , <u>58</u> MOTION to Vacate <u>57</u> Order of <i>Dismissal</i> filed by ACA Financial Guaranty Corporation, Dryden National Municipals Fund, Inc., John Moore, Lois Moore, Smith Barney Income Funds/Smith Barney Municipal High Income Fund, T. Row Price Tax-Free High Yield Fund, Incorporated. (Tabb, Michael) (Entered: 10/20/2006)
10/20/2006	<u>61</u>	AFFIDAVIT in Support re <u>58</u> MOTION to Vacate <u>57</u> Order of <i>Dismissal</i> by Thomas Hoffman filed by ACA Financial Guaranty Corporation, Dryden National Municipals Fund, Inc., John Moore, Lois Moore, Smith Barney Income Funds/Smith Barney Municipal High Income Fund, T. Row Price Tax-Free High Yield Fund, Incorporated. (Tabb, Michael) (Entered: 10/20/2006)
10/25/2006		Case Reopened (Flaherty, Elaine) (Entered: 10/25/2006)
10/25/2006	<u>62</u>	Assented to MOTION for Extension of Time to December 8, 2006 to File Response/Reply as to <u>60</u> Memorandum in Support of Motion,, <u>58</u> MOTION to Vacate <u>57</u> Order of <i>Dismissal</i> , <u>59</u> MOTION to Amend <i>Complaint</i> , <u>61</u> Affidavit in Support of Motion, by all defendants. (Walters, Sarah) (Entered: 10/25/2006)
10/26/2006		Judge Richard G. Stearns : Electronic ORDER entered granting <u>62</u> Motion for Extension of Time to File Response/Reply (Flaherty, Elaine) (Entered: 10/26/2006)
11/30/2006	<u>63</u>	Assented to MOTION to Correct <u>59</u> MOTION to Amend <i>Complaint</i> and <i>Proposed Second Amended Complaint</i> by ACA Financial Guaranty Corporation, Dryden National Municipals Fund, Inc., John Moore, Lois Moore, Smith Barney Income Funds/Smith Barney Municipal High Income Fund, T. Row Price Tax-Free High Yield Fund, Incorporated. (Attachments: # <u>1</u> Exhibit A)(Tabb, Michael) (Entered: 11/30/2006)
12/08/2006	<u>64</u>	Assented to MOTION for Leave to File Excess Pages for <i>Advest, Inc.'s Opposition to Plaintiffs' Motion to Vacate Dismissal and Plaintiffs' Motion for Leave to File Second Amended Complaint</i> by Advest, Inc.. (Walters, Sarah) (Entered: 12/08/2006)
12/08/2006	<u>65</u>	AMENDED DOCUMENT by Advest, Inc.. <i>Amended Corporate Disclosure Statement of Defendant Advest, Inc.</i> (Walters, Sarah) (Entered: 12/08/2006)

12/08/2006	66	MOTION for Leave to File Excess Pages for <i>Bradford Defendants' Opposition to T. Rowe Price Plaintiffs' Motions to Vacate Dismissal and For Leave to File a Second Amended Complaint</i> by Julia DeMoss, William R. Dill, Leslie A. Ferlazzo, Joyce Shaffer Fleming, Eric W. Hayden, Catherine Chapin Kobacker, Anne Marcus, Celeste Reid, Richard J. Sheehan, Jr, Joseph Short, Gregory E. Thomas, Susan K. Turben, Donald W Kiszka, Karen Sughrue, Garry Crago, Jean Childs, Paula Edwards Cochran, G. Stevens Davis, Jr.(Carpenter, Ann) (Entered: 12/08/2006)
12/08/2006	67	Opposition re 58 MOTION to Vacate 57 Order of Dismissal, 59 MOTION to Amend <i>Complaint</i> filed by Julia DeMoss, William R. Dill, Leslie A. Ferlazzo, Joyce Shaffer Fleming, Eric W. Hayden, Catherine Chapin Kobacker, Anne Marcus, Celeste Reid, Richard J. Sheehan, Jr, Joseph Short, Gregory E. Thomas, Susan K. Turben, Donald W Kiszka, Karen Sughrue, Garry Crago, Jean Childs, Paula Edwards Cochran, G. Stevens Davis, Jr. (Attachments: # 1 # 2)(Carpenter, Ann) (Entered: 12/08/2006)
12/08/2006	68	Opposition re 58 MOTION to Vacate 57 Order of Dismissal, 59 MOTION to Amend <i>Complaint [Second]</i> filed by Advest, Inc.. (Attachments: # 1 Exhibit 1# 2 Exhibit A to Reply# 3 Exhibit B to Reply# 4 Exhibit C to Reply# 5 Exhibit D to Reply# 6 Exhibit E to Reply)(Walters, Sarah) (Entered: 12/08/2006)
12/13/2006		Judge Richard G. Stearns : Electronic ORDER entered granting in part and denying in part 64 Motion for Leave to File Excess Pages "ALLOWED if not in excess of 33 pages." (Flaherty, Elaine) (Entered: 12/13/2006)
12/14/2006	69	Opposition re 58 MOTION to Vacate 57 Order of Dismissal, 59 MOTION to Amend <i>Complaint [Second]</i> filed by Advest, Inc.. (Attachments: # 1 Exhibit 1# 2 Exhibit A to Reply Memorandum# 3 Exhibit B to Reply Memorandum# 4 Exhibit C to Reply Memorandum# 5 Exhibit D to Reply Memorandum# 6 Exhibit E to Reply Memorandum) (Walters, Sarah) (Entered: 12/14/2006)
12/15/2006		Judge Richard G. Stearns : Electronic ORDER entered granting 66 Motion for Leave to File Excess Pages "Allowed, not to exceed thirty (30) pages." (Flaherty, Elaine) (Entered: 12/15/2006)
12/19/2006	70	Amended Opposition re 58 MOTION to Vacate 57 Order of Dismissal, 59 MOTION to Amend <i>Complaint</i> filed by Julia DeMoss, William R. Dill, Leslie A. Ferlazzo, Joyce Shaffer Fleming, Eric W. Hayden, Catherine Chapin Kobacker, Anne Marcus, Celeste Reid, Richard J. Sheehan, Jr, Joseph Short, Gregory E. Thomas, Susan K. Turben, Donald W Kiszka, Karen Sughrue, Garry Crago, Jean Childs, Paula Edwards Cochran, G. Stevens Davis, Jr. (Attachments: # 1 # 2)(Carpenter, Ann) (Entered: 12/19/2006)
12/26/2006		Judge Richard G. Stearns : Electronic ORDER entered granting 63 Assented to Motion to Substitute a Corrected Version of the Proposed

		Second Amended Complaint. (Tyler, Rebecca) (Entered: 12/26/2006)
12/29/2006		Judge Richard G. Stearns : ORDER entered. MEMORANDUM AND ORDER on Plaintiffs' Motion to Vacate Order of Dismissal and Motion for Leave to File Second Amended Complaint.(Tyler, Rebecca) (Entered: 12/29/2006)
12/29/2006		Judge Richard G. Stearns : Electronic ORDER entered denying <u>58</u> Motion to Vacate, dismissing <u>59</u> Motion to Amend for lack of jurisdiction. (Tyler, Rebecca) (Entered: 12/29/2006)
12/29/2006		Civil Case Terminated. (Tyler, Rebecca) (Entered: 12/29/2006)
01/26/2007		NOTICE OF APPEAL as to <u>57</u> Order, <u>71</u> Memorandum & ORDER by ACA Financial Guaranty Corporation, Dryden National Municipals Fund, Inc., John Moore, Lois Moore, Smith Barney Income Funds/Smith Barney Municipal High Income Fund, T. Row Price Tax-Free High Yield Fund, Incorporated. NOTICE TO COUNSEL: A Transcript Report/Order Form, which can be downloaded from the First Circuit Court of Appeals web site at http://www.ca1.uscourts.gov/clerks/transcript.htm MUST be completed and submitted to the Court of Appeals. (Tabb, Michael) (Entered: 01/26/2007)
02/01/2007		Filing fee: \$ 455., receipt number 77952 for <u>71</u> Memorandum & ORDER (Flaherty, Elaine) (Entered: 02/01/2007)
02/09/2007		TRANSCRIPT ORDER FORM by ACA Financial Guaranty Corporation, Dryden National Municipals Fund, Inc., John Moore, Lois Moore, Smith Barney Income Funds/Smith Barney Municipal High Income Fund, T. Row Price Tax-Free High Yield Fund, Incorporated for proceedings held on 10/7/2005 before Judge Stearns, re <u>72</u> Notice of Appeal., Transcript due by 2/9/2007. (Tabb, Michael) (Entered: 02/09/2007)